

REMARKS

This Response is submitted in response to the non-final Office Action mailed on December 3, 2008. No fee is due in connection with this Response. The Director is authorized to charge any fees which may be required, or to credit any overpayment to Deposit Account No. 02-1818. If such a withdrawal is made, please indicate the Attorney Docket No. 112857-478 on the account statement.

Claims 11, 14-16 and 18-21 are pending in this application. Claims 1-10, 12-13, 17 and 22-24 were previously canceled without prejudice or disclaimer. In the Office Action, Claims 11, 14-16 and 18-21 are rejected under 35 U.S.C. §103. For at least the reasons set forth below, Applicant respectfully submits that the rejection should be withdrawn.

In the Office Action, Claims 11, 14-15 and 18-21 are rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,143,083 to Yonemitsu et al. ("*Yonemitsu*") in view of U.S. Patent Publication No. 2002/0139303 A1 to Yamazaki et al. ("*Yamazaki I*"). In the Office Action, Claim 16 is rejected under 35 U.S.C. §103(a) as being unpatentable over *Yonemitsu* in view of *Yamazaki I* and further in view of U.S. Patent Publication No. 2001/0006827 A1 to Yamazaki et al. ("*Yamazaki II*"). For the reasons discussed below, Applicants respectfully submit that *Yamazaki I* is not proper prior art. Therefore, for at least that reasons, Applicants respectfully submit that the rejections should be withdrawn.

Applicants respectfully submit that *Yamazaki I* is not proper prior art under 35 U.S.C. §102(e). The Japanese priority application in this case was filed on June 12, 2001. The earliest United States filing date of *Yamazaki I* is January 31, 2002. As such, *Yamazaki I* is not prior art under 35 U.S.C. §102(e). The Patent Office asserts that Applicants cannot rely upon the foreign priority papers to overcome this rejection because such papers have not been made of record in accordance with 37 C.F.R. 1.55. See, Office Action, page 5, lines 4-6. While a certified English language translation of the Japanese priority application in this case was filed with the Patent Office in parent case 10/153,453 on April 3, 2006, Applicants are again submitting herewith the English language translation of the Japanese priority document in this case. Therefore, Applicants respectfully submit that the English translation has been properly made of record and that *Yamazaki I* cannot be applied as prior art in this case.

Furthermore, for at least the reasons set forth below, Applicants respectfully submit that *Yonemitsu* on its own fails to disclose or suggest each and every element of independent Claim 11 and Claims 14-15 and 18-21 that depend therefrom.

Independent Claim 11 recites, in part, an apparatus for manufacturing an organic electroluminescence display, the organic electroluminescence display having a substrate, a first electrode layer formed on the substrate, an organic layer including a plurality of organic material layers stacked on the first electrode layer in a predetermined pattern and a second electrode layer formed on the organic layer, the apparatus comprising: a first alignment mechanism for aligning a mask, having openings corresponding to the predetermined pattern, to the substrate and for detachably attaching the mask and the substrate; a first formation unit including a plurality of vacuum processing chambers for sequentially forming the plurality of organic material layers on the substrate at a first color position, the substrate being attached to the mask; a second alignment mechanism for changing the alignment between the substrate and the mask, and for detachably attaching the substrate and the mask again; and a second formation unit including a plurality of vacuum processing chambers for sequentially forming the plurality of organic material layers on the substrate at a second color position, the substrate being attached to the mask, wherein each of the vacuum processing chambers correspond to each of the organic material layers, and wherein the second alignment mechanism is provided to connect the first formation unit and the second formation unit in series thereby providing flow-through processing. In contrast, *Yonemitsu* fails to disclose or suggest every element of the present claims.

For example, *Yonemitsu* fails to disclose or suggest a first formation unit including a plurality of vacuum processing chambers for sequentially forming the plurality of organic material layers on the substrate at a first color position, wherein each of the vacuum processing chambers correspond to each of the organic material layers as required, in part, by independent Claim 11. The Patent Office asserts that *Yonemitsu* discloses a first formation unit 701 including a plurality of vacuum chambers 70 for sequential deposition of a plurality of layers around a vacuum transfer chamber. See, Office Action, page 2, lines 11-14. However, *Yonemitsu* merely discloses a processing section 700 including a plurality of reaction chambers 70 for processing a semiconductor wafer. See, *Yonemitsu*, column 11, lines 8-12. *Yonemitsu* discloses that the plurality of reaction chambers 70 may be used to deposit various films on the semiconductor wafer. See, *Yonemitsu*, column 11, lines 34-43. However, nowhere does *Yonemitsu* suggest that the plurality of reaction chambers may be used to sequentially form a plurality of organic material layers at a first color position or that each of the reaction chambers correspond to each of the organic material layers, nor does the Patent Office cite support for such claimed elements.

In fact, *Yonemitsu* fails to mention organic material layers because it is directed to processing a semiconductor wafer, rather than forming an organic electroluminescence display. See, *Yonemitsu*, column 1, lines 10-12; column 11, lines 4-9. As such, *Yonemitsu* fails to disclose a first formation unit including a plurality of vacuum processing chambers for sequentially forming the plurality of organic material layers on the substrate at a first color position.

Moreover, *Yonemitsu* fails to disclose or suggest a second formation unit including a plurality of vacuum processing chambers for sequentially forming the plurality of organic material layers on the substrate at a second color position as required, in part, by independent Claim 11. The Patent Office asserts that *Yonemitsu* teaches a second film formation unit 701' including a plurality of vacuum chambers 70' for sequential deposition of a plurality of layers around a second transfer chamber. See, Office Action, page 2, lines 14-16. However, the portions of *Yonemitsu* relied on by the Patent Office merely disclose one embodiment in which two reaction chambers 70 and 70' are located in different processing units 701 and 701', rather than a plurality of reaction chambers located within each processing unit. See, *Yonemitsu*, column 20, lines 49-59; column 21, lines 7-10; Fig. 12. *Yonemitsu* discloses another embodiment in which its apparatus includes a single processing unit composed of a plurality of reaction chambers 70. See, *Yonemitsu*, column 11, lines 8-12; Fig. 4. However, contrary to the Patent Office's assertion, nowhere does *Yonemitsu* disclose or suggest an apparatus composed of first and second processing units that each include a plurality of reaction chambers. Therefore, *Yonemitsu* fails to disclose a second formation unit including a plurality of vacuum processing chambers for sequentially forming the plurality of organic material layers on the substrate at a second color position in accordance with the present claims.

Furthermore, the Patent Office admits that *Yonemitsu* fails to disclose: (1) a third film formation unit; (2) a first, second or third alignment mechanism for aligning a mask to the substrate and detachably attaching the mask and the substrate; (3) that the second alignment mechanism connects the first and second film formation units and the third alignment mechanism connects the second and third film formation units; (4) that the alignment mechanism includes an attachment fixture and a separating mechanism for attaching and separating the mask from the substrate holder; and (5) a second electrode formation unit. See, Office Action, page 2, lines 18-23; page 3, lines 1-2. As such, *Yonemitsu* is deficient with respect to the present claims.

Accordingly, Applicants respectfully request that the rejection of Claims 11, 14-15 and 18-21 under 35 U.S.C. §103(a) to *Yonemitsu* and *Yamazaki I*, alone or even if properly combinable, be reconsidered and withdrawn.

As discussed previously, *Yamazaki I* is not proper prior art and *Yonemitsu* fails to disclose or suggest: (1) a first formation unit including a plurality of vacuum processing chambers for sequentially forming the plurality of organic material layers on the substrate at a first color position; (2) a second formation unit including a plurality of vacuum processing chambers for sequentially forming the plurality of organic material layers on the substrate at a second color position; and (3) first, second or third alignment mechanisms as required, in part, by independent Claim 11 from which Claim 16 depends. The Patent Office relies on *Yamazaki II* merely as support for a magnetic attachment fixture that forms a sandwich with the substrate. See, Office Action, page 4, lines 15-19. Thus, Applicants respectfully submit that, even if properly combinable, *Yamazaki II* fails to remedy the deficiencies of *Yonemitsu* and *Yamazaki I* with respect to Claim 16.

Accordingly, Applicants respectfully request that the rejection of Claim 16 under 35 U.S.C. §103(a) to *Yonemitsu*, *Yamazaki I* and *Yamazaki II*, alone or even if properly combinable, be withdrawn.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

BELL, BOYD & LLOYD LLP

BY 

Thomas C. Basso
Reg. No. 46,541
Customer No. 29175

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